

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**MEMO ENDORSED**

CRAIG MOLESPHINI on behalf of himself and derivatively on behalf of NUE-TRITION WEIGHT MANAGEMENT, LLC, and ELEPHANT ENTERTAINMENT INC., individually

Plaintiffs,

- against -

ANTHONY GIORDANO, NÜE RESOURCE FINANCIAL CORP., and NÜE RESOURCE FUNDING, LLC

Defendants,

-and-

NUE-TRITION WEIGHT MANAGEMENT, LLC,

Nominal Defendant.

Case No. 1:20-cv-05427 (KPF)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the declaration in support, all exhibits thereto, and all prior pleadings and proceedings herein, Plaintiff, by his attorneys, will move this Court before the Honorable Katherine Polk Failla, United States District Judge, at the United States Courthouse for the Southern District of New York, 40 Foley Square, New York, New York, at such time to be set by the Court, for an Order ordering the lifting of the stay in place in this matter.

Dated: October 16, 2024  
New York, NY

LAW OFFICE OF ALEXANDER SAKIN, LLC

/s/ Alexander Sakin

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*Attorney for Plaintiffs*

Seeing no opposition to Plaintiff's second motion to lift the stay in this action (Dkt. #41), the Court hereby GRANTS the motion and lifts the stay.

The parties are hereby ORDERED to file a joint status letter on or before **November 14, 2024**.

In lifting the stay, the Court takes no position regarding the records that Plaintiff is seeking.

The Clerk of Court is directed to terminate the pending motion at docket entry 41.

Dated: October 24, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE